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HOUSE BILL 266

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

WILLIAM E. PORTER

AN ACT

RELATING TO CRIMINAL LAW; AMENDING A SECTION OF THE NMSA 1978 TO  
EXPAND THE DEFINITION OF THE CRIME OF SHOOTING AT OR FROM A  
MOTOR VEHICLE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 30-3-8 NMSA 1978 (being Laws 1987,  
Chapter 213, Section 1, as amended) is amended to read:

"30-3-8. SHOOTING AT DWELLING OR OCCUPIED BUILDING--  
SHOOTING AT OR FROM A MOTOR VEHICLE.--

A. Shooting at a dwelling or occupied building  
consists of willfully discharging a firearm at a dwelling or  
occupied building. Whoever commits shooting at a dwelling or  
occupied building that does not result in great bodily harm to  
another person is guilty of a fourth degree felony. Whoever  
commits shooting at a dwelling or occupied building that results

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1 in injury to another person is guilty of a third degree felony.  
2 Whoever commits shooting at a dwelling or occupied building that  
3 results in great bodily harm to another person is guilty of a  
4 second degree felony.

5 B. Shooting at or from a motor vehicle consists of  
6 willfully discharging a firearm at or from a motor vehicle [~~with~~  
7 ~~reckless disregard for the person of another~~].

8 C. Whoever commits shooting at or from a motor  
9 vehicle that does not result in injury or great bodily harm to  
10 another person is guilty of a fourth degree felony.

11 D. Whoever commits shooting at or from a motor  
12 vehicle, with reckless disregard for the person of another, that  
13 results in injury to another person is guilty of a third degree  
14 felony.

15 E. Whoever commits shooting at or from a motor  
16 vehicle, with reckless disregard for the person of another, that  
17 results in great bodily harm to another person is guilty of a  
18 second degree felony.

19 [~~C.~~] F. This section shall not apply to a law  
20 enforcement officer discharging a firearm in the lawful  
21 performance of his duties. "

# State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

February 7, 1997

Mr. Speaker:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 266

has had it under consideration and reports same with  
recommendation that it DO PASS, and thence referred to the  
APPROPRIATIONS AND FINANCE COMMITTEE.

Respectfully submitted,

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Thomas P. Foy, Chairman

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 7 For 1 Against

Yes: 7

No: Pederson

Excused: Garcia, King, Larranaga, Sanchez, Foy

Absent: None

M \H0266

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# State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

February 27, 1997

Mr. Speaker:

Your APPROPRIATIONS AND FINANCE COMMITTEE, to  
whom has been referred

HOUSE BILL 266

has had it under consideration and reports same with  
recommendation that it DO PASS.

Respectfully submitted,

---

Max Coll, Chairman

**FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997**

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 10 For 1 Against

Yes: 10

No: Coll

Excused: Heaton, Knowles, Marquardt, Picraux, Wallace, Watchman

Absent: None

M \H0266

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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

March 21, 1997

Mr. President:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 266

has had it under consideration and reports same with  
recommendation that it DO PASS.

Respectfully submitted,

\_\_\_\_\_  
Fernando R. Macias, Chairman

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

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Date \_\_\_\_\_

The roll call vote was 8 For 0 Against

Yes: 8

No: 0

Excused: None

Absent: None

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~~[bracketed material] = delete~~